

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

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|------------------------|---|----------------------------|
| LUKE ADAM STANTON, SR. | § | |
| VS. | § | CIVIL ACTION NO. 1:19cv379 |
| GRACE N. EKEKE, ET AL. | § | |

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Luke Adam Stanton, Sr., an inmate at the Coffield Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights lawsuit against Grace N. Ekeke, Stephanie A. Lute, April Clark and V. McMullen. The Court referred the case to the Honorable Christine L. Stetson, United States Magistrate Judge.

The defendants have filed a joint motion to dismiss pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the motion. The magistrate judge recommends the motion be denied with respect to the claim of retaliation against defendants Ekeke, Clark and Lute based upon plaintiff's access to the law library being limited, and granted in all other respects.

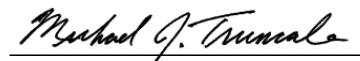
The Court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings in this matter. A copy of the Report and Recommendation was mailed to plaintiff at the address he provided to the Court. No objections have been filed to the Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions of law contained in the Report of the magistrate judge are correct and the Report [Dkt. 32] is ADOPTED as the opinion of the Court. The motion to dismiss [Dkt. 19] is DENIED with respect to the claim of retaliation against defendants

Ekeke, Clark and Lute based on plaintiff's access to the law library being limited and GRANTED in all other respects. Defendant McMullen is DISMISSED from this lawsuit.

SIGNED this 16th day of February, 2022.

A handwritten signature in black ink, reading "Michael J. Truncale", written over a horizontal line.

Michael J. Truncale
United States District Judge